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June 12, 2024

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**VIA ECF/PACER**

District Judge Jesse M. Furman  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 100037

**Re: U.S. Bank N.A. as Trustee for the Registered Holders of J.P. Morgan  
Chase v. 218 Realty, LLC, et al  
Case No.: 1:24-cv-02581-JMF**

**LETTER MOTION REQUEST**

Dear Judge Furman:

This firm represents U.S. Bank National Association, as Trustee for the Registered Holders of J.P. Morgan Chase Commercial Mortgage Securities Corp. Multifamily Mortgage Pass-Through Certificates, Series 2019-SB64 (“**Lender**”). Lender writes regarding this Court’s May 29, 2024 order (the “**Order**”) directing the filing of Lender’s motion for default judgment.

Lender interpreted the Order to require Lender file both its request for Clerk’s Certificate of Default as well as its Motion for Default Judgment simultaneously. Lender incorrectly interpreted the statement “not merely its request for a Clerk’s Certificate of Default” to mean the Court wanted the entire default package to be filed at the same time. Lender now realizes this interpretation was incorrect.

As is apparent from the docket, Lender followed its incorrect interpretation by filing its entire motion for default judgment, as well as its request for Clerk’s Certificates of Default by the June 12, 2024 deadline. Of course, Lender now realizes the Court meant Lender must comply with both default steps separately, and before June 12, 2024.

This office sincerely apologizes for this error. The undersigned worked tirelessly over the past two weeks to draft all necessary pleadings in time for the June 12<sup>th</sup> deadline, and filed what I believed the Court was looking for.

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Page 2

As of the writing of this letter request, Lender has appropriately filed the requests for Clerk's Certificates of Default for all Defendants. And Lender is willing and able to immediately re-file its motion for default judgment after clerk's default is entered.

As such, Lender respectfully requests this Court extend the June 12<sup>th</sup> deadline so that Lender may re-file its motion for default judgment. Lender will do so the same day clerk's default is entered as to each defendant.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Aaron P. Davis  
Aaron P. Davis

Whereas Plaintiff has, since the filing of this letter motion, obtained Clerk's Certificates of Default and re-filed its motion for default judgment and supporting papers, *see* ECF Nos. 39-49, Plaintiff's deadline is hereby extended, *nunc pro tunc*, and its motion is deemed timely. By separate Order to be entered today, the Court will set a schedule for opposition and a default judgment hearing.

The Clerk of Court is directed to terminate ECF No. 38.

SO ORDERED.

A handwritten signature in black ink, appearing to be 'J. M. ...', written over the text 'SO ORDERED.'

June 14, 2024